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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 United States of America,
10 Plaintiff,

11 v.

12 Ronald Uthe,
13 Defendant.

No. CR-11-01939-1-PHX-DGC

ORDER

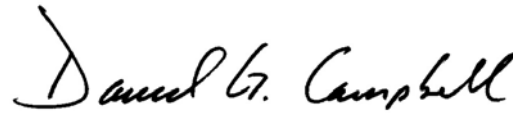
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15 Defendant Ronald Uthe mailed a letter to the Court and asked that it be considered
16 as a motion. Doc. 89. The Court will not consider Defendant's letter.

17 District courts may refuse to entertain *pro per* motions filed by defendants who
18 have legal representation. *Abdullah v. United States*, 240 F.3d 683, 686 (8th Cir. 2001);
19 *Mullins v. Schriro*, No. CV-06-1148-PHX-NVW, 2008 WL 1805443, at *1 (D. Ariz.,
20 Apr. 18, 2008). Although a litigant has the right to represent himself *pro per* or to be
21 represented by an attorney, *United States v. Olano*, 62 F.3d 1180, 1193 (9th Cir.1995), he
22 does not have a right to both (*United States v. Kienenberger*, 13 F.3d 1354, 1356 (9th
23 Cir.1994); *McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984)). This Court's Local Rule of
24 Civil Procedure 83.3(c)(2), made applicable to criminal cases by Local Rule of Criminal
25 Procedure 57.14, permits the Court to deny motions filed *pro per* by represented parties.
26 Because Defendant Uthe is represented by counsel, the Court will not address the matters
27 set forth in his letter.
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1 **IT IS ORDERED** that Defendant's motion (Doc. 89) is **denied**.

2 **IT IS ORDERED** that counsel for Defendant Uthe is ordered to provide a copy of
3 this order to Defendant Uthe.

4 Dated this 27th day of November, 2012.

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9 David G. Campbell
10 United States District Judge
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